Department of Justice

2010-11

Report on Plans and Priorities

The Honourable Rob Nicholson
Minister of Justice and Attorney General of Canada

Canada

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MINISTER'S MESSAGE

I am pleased to present the Department of Justice's Report on Plans and Priorities for 2010-11.

This document sets out the ways in which my Department intends to maintain the integrity of the justice system, help improve access to justice, and provide effective and responsive legal and legislative services to the federal government. These goals, or strategic outcomes, will continue to guide its considerable efforts over the coming year.

Tackling crime remains a priority for our Government. We will continue to work toward supporting legislation in key areas related to crime and security, as well as initiatives that highlight the responsibilities as well as the rights of Canadians. These provisions will help strengthen Canadian citizenship and the confidence that Canadians have in our justice system.

At the same time, the Department will continue to provide expert legal support to the many federal departments and agencies that support the Government's priorities, which include ensuring the continuation of Canada's economic recovery.

The Department of Justice will demonstrate its commitment to management excellence through participating in initiatives to better serve Parliament and Canadians. To this end, I am pleased to say that the steady improvement of my Department's management performance ratings serves as an endorsement of the professionalism and expertise that Justice employees bring to their work.

I look forward to continuing to work with our partners in all levels of government, the legal community and all Canadians toward an increasingly fair and efficient justice system.

The Honourable Rob Nicholson, P.C., Q.C.
Minister of Justice and Attorney General of Canada

SECTION I: DEPARTMENTAL OVERVIEW

Summary Information

Raison d'être

The Mission of the Department of Justice is to:

- support the Minister of Justice in working to ensure that Canada is a just and law-abiding society with an accessible, efficient and fair system of justice;
- provide high-quality legal services and counsel to the government and to client departments and agencies; and
- promote respect for rights and freedoms, the law and the Constitution.

Responsibilities

The Department of Justice is headed by the Minister of Justice and Attorney General of Canada. The responsibilities associated with the dual role of Minister of Justice and Attorney General are set out in the *Department of Justice Act* and some 49 other Acts of Parliament. The Department of Justice fulfils three distinctive roles within the Government of Canada, acting as:

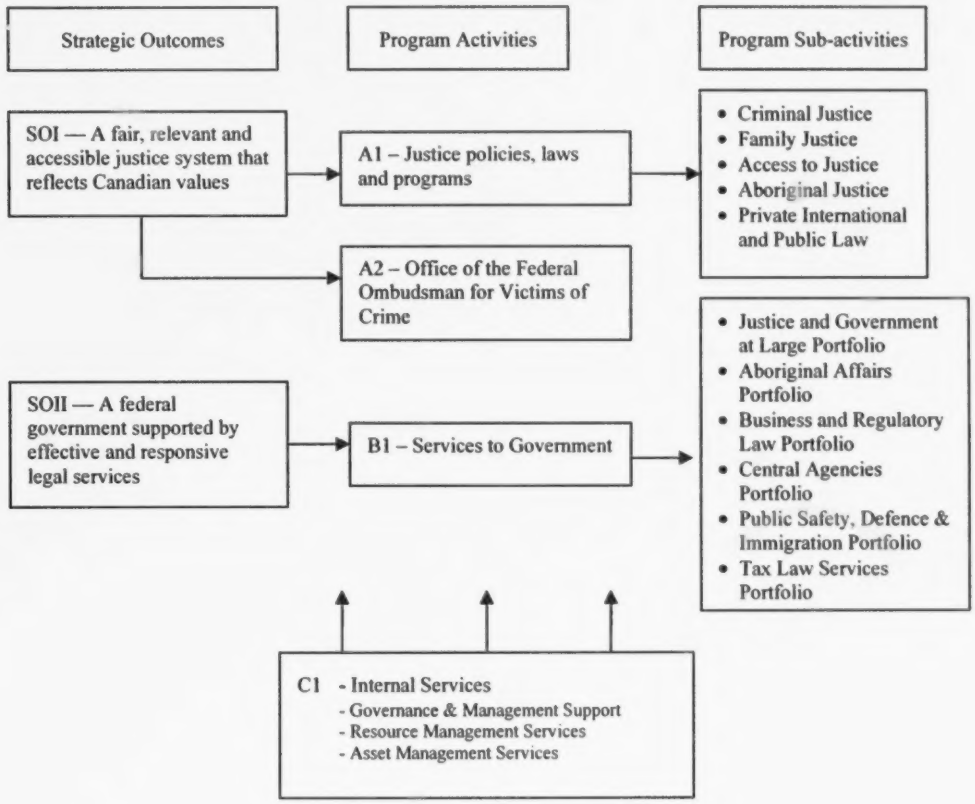
- a policy department with broad responsibilities for overseeing all matters relating to the administration of justice that fall within the federal domain;
- a provider of a range of legal advisory, litigation and legislative drafting services to government departments and agencies; and
- a central agency responsible for supporting the Minister in advising Cabinet on all legal matters.

Strategic Outcomes and Program Activity Architecture

The Department's two strategic outcomes reflect the dual role of the Minister of Justice and Attorney General of Canada. The Minister of Justice is concerned with questions of policy, particularly as these relate to his role as a steward of the Canadian justice system. The Attorney General is the chief law officer for the Crown.

Department of Justice Program Activity Architecture

The graphic presentation of the Program Activity Architecture provided below gives an overview of the activities and programs for which the Department is responsible[1], showing the linkages between strategic outcomes, program activities and sub-activities.


Strategic Outcomes
Program Activities
Program Sub-activities
SOI — A fair, relevant and accessible justice system that reflects Canadian values
A1 – Justice policies, laws and programs
• Criminal Justice
• Family Justice
• Access to Justice
• Aboriginal Justice
• Private International and Public Law
A2 – Office of the Federal Ombudsman for Victims of Crime
SOII — A federal government supported by effective and responsive legal services
B1 – Services to Government
• Justice and Government at Large Portfolio
• Aboriginal Affairs Portfolio
• Business and Regulatory Law Portfolio
• Central Agencies Portfolio
• Public Safety, Defence & Immigration Portfolio
• Tax Law Services Portfolio
C1 - Internal Services
- Governance & Management Support
- Resource Management Services
- Asset Management Services

[1] The Federal Ombudsman for Victims of Crime tables annual reports to Parliament separately through the Minister of Justice. For further information regarding the Office of the Federal Ombudsman for Victims of Crime, please consult http://www.victimsfirst.gc.ca/index.html

Planning Summary

Financial Resources (millions)

2010-11	2011-12	2012-13
719.24	703.25	676.04

Note: Planned financial resources are based on Main Estimates and on other items identified in the fiscal framework and exclude respendable revenue.

Human Resources (in full-time equivalents - FTEs)

2010-11	2011-12	2012-13
4,878	4,935	4,968

Strategic Outcome I: A fair, relevant and accessible justice system that reflects Canadian values	
Performance Indicators	**Targets**
• Public confidence in the justice system • Canada's international ranking on whether or not "justice" is "fairly administered" • Number of bills tabled in Parliament by the Minister of Justice	• Level of public confidence in the justice system remains stable or improves • Canada's high relative international ranking on justice issues is maintained or improved

(in millions of dollars)

Program Activity	Forecast Spending 2009-10	Planned Spending			Alignment to Government of Canada Outcomes
		2010-11	2011-12	2012-13	
A1. Justice policies, laws and programs	431.42	429.80	423.01	396.12	Social Affairs – A Safe and Secure Canada
A2. Office of the Federal Ombudsman for Victims of Crime	1.30	1.31	0.00	0.00	
Total Planned Spending	**432.73**	**431.11**	**423.01**	**396.12**	

Strategic Outcome II: A federal government that is supported by effective and responsive legal services	
Performance Indicators	**Targets**
• Client feedback on the quality of legal advisory, litigation, legislative and regulatory drafting services • Client feedback on Department of Justice performance against service standards* for the delivery of legal services	• Attain mean score of 8.0 / 10 on each item for which client feedback is obtained

* Service standards available at: http://www.justice.gc.ca/eng/dept-min/service.html

(in millions of dollars)

Program Activity	**Forecast Spending 2009-10***	**Planned Spending**			**Alignment to Government of Canada Outcomes**
		2010-11	**2011-12**	**2012-13**	
B1. Services to government	174.43	183.37	175.80	175.82	Government Affairs – Ensuring a well-managed and smoothly operating government machinery
Total Planned Spending	**174.43**	**183.37**	**175.80**	**175.82**	

Note: Forecast and planned spending of the program activity, B1 Services to Government, exclude respendable revenue.

(in millions of dollars)

Program Activity	**Forecast Spending 2009-10**	**Planned Spending**			**Alignment to Government of Canada Outcomes**
		2010-11	**2011-12**	**2012-13**	
C1. Internal Services	127.99	104.76	104.44	104.10	—
Total Planned Spending	**127.99**	**104.76**	**104.44**	**104.10**	

Contribution of Departmental Priorities to Strategic Outcome(s)

Operational Priorities	Type	Links to Strategic Outcome(s)	Description
Develop law reform proposals to tackle crime and to support safe and resilient communities	Ongoing	SOI	Law reform proposals will include: updating the *Criminal Code* to address potential threats from new technologies; strengthening the legal framework for international cooperation in addressing organized crime, security and terrorism; and reviewing and amending federal laws in support of family justice priorities.
Actively participate in initiatives to tackle crime and to support safe and resilient communities	Ongoing	SOI	Key initiatives will include, implementing the new components of the Federal Strategy for Victims of Crime; leading the National Anti-Drug Strategy; delivering the Supporting Families Initiative to promote compliance with child custody, access and family support orders; and working with Canadian agencies and foreign administrations to develop mechanisms to enhance cross border law enforcement and extradition.
Direct and indirect support for implementation of Government priorities	Ongoing	SOII	Provide critical legal services to support client departments in implementing Government priorities including: the continued implementation of Canada's Economic Action Plan; strengthening the financial system; infrastructure renewal; defence and security of Canada and the safety of Canadians; strengthening Canadian citizenship; and promoting and ensuring sustainable development.
Management Priorities	**Type**	**Links to Strategic Outcome(s)**	**Description**
Public Service Renewal	Ongoing	SOI and SOII	The Department is taking concrete steps to renew, develop and sustain its workforce to meet Departmental business goals now and in the future including in particular significant efforts in relation to the implementation of the first collective agreement with the LA community.
Implementation of the Law Practice Model for the delivery of legal services across government	Ongoing	SOII	Adjusting the mix of senior, mid-level and junior counsel dedicated to the delivery of legal services across government in order to provide more efficient legal services.
Improved support for law practice management across government	Ongoing	SOII	Developing and enhancing tools and processes related to knowledge management, legal risk management, legal information sharing, and quality assurance.
Renewal of Departmental Systems	Ongoing	SOI and SOII	Developing an implementation strategy to ensure integration of departmental financial, case management and information management systems.
Enhance financial management framework	Ongoing	SOI and SOII	Implementing consistent standardized departmental practices and processes that meet Treasury Board financial management policy requirements.

Risk Analysis

Risks to Justice policies, laws and programs

Many factors influence our operating environment and thus pose potential risks to our capacity to deliver effectively on Justice policies, laws, and programs. Primary among these is the ability to address funding challenges in light of current fiscal pressures and realities which could put our programs at risk. A second risk area pertains to an increasingly complex and variable policy process within the current Parliamentary situation and the economic environment, which is challenging our ability to develop long-term policy options. Finally, this complex operating environment is putting a strain on the partnerships required for effective justice policy development and program delivery.

To mitigate these risks, we are strengthening our business planning and budgeting to ensure that our finances are aligned with our high priority programs. We are taking steps to realign human resources to better address the shifting workload demands resulting from the increasingly complex and more demanding policy process. Finally, in recognition that the justice system is multi-tiered and influenced by many stakeholders, we are continuing our efforts to maintain and expand open dialogue with partners from across the justice spectrum to develop innovative ideas about how to strengthen the justice system while respecting Canadian values.

Risks to Legal services to government

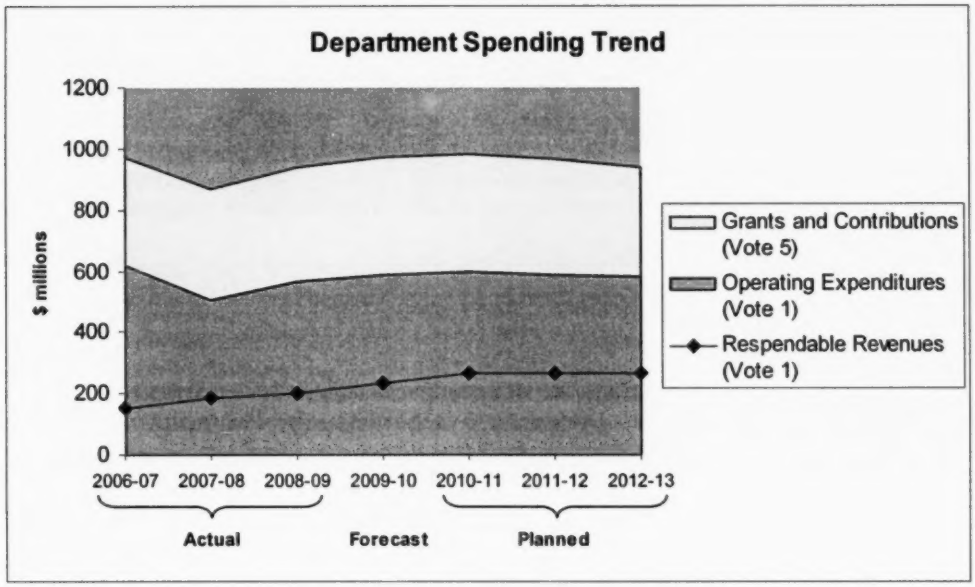
There are three interrelated sets of risks that can have significant impacts on our capacity to deliver high-quality legal services to government. The first risk concerns our ability to retain and recruit highly skilled legal professionals in a competitive environment. In response, we are continuing with initiatives to renew our workforce in light of significant demographic shifts in Canada, including the aging of the workforce and the increasingly diverse Canadian population.

A second area of risk pertains to capacity issues facing departmental corporate functions that support the delivery of legal services particularly in light of increasing demands for specialized and complex legal services. To mitigate this risk, the Department continues to assess and monitor the capacity of corporate functions with a view to reallocating and balancing resources across the Department.

The third risk area relates to our capacity to address the rapid changes in law practice management — particularly the sheer growth in the speed and volume of information that is crucial to effective management. In this regard, the Department is focusing on developing and enhancing tools and systems to support effective knowledge management, legal risk management, and quality assurance. This involves business alignment and prioritization of departmental information management and information technology initiatives.

Expenditure Profile

As may be seen in the following chart, with the exception of fiscal year 2007-08, the Department has consistently experienced a slight increase in spending. This constant growth is primarily the result of increasing demand for legal advisory, litigation and legislative services from other government departments and agencies, and transfers to provinces and territories.



The sharp decline in year-over-year spending in 2007-08 reflects the $102 million reduction in the Departmental budget that was used to create the independent Office of the Director of Public Prosecution (ODPP) in December 2006. The remainder of the reduction reflects the introduction of the net vote funding regime in which a portion of the total cost for the delivery of legal services across government is paid directly by the client departments receiving those services. As a result, rather than the funding being counted in the authorities and expenditures of the Department of Justice, they are counted in the authorities and expenditures of the client departments from which costs are recovered through vote netting authorities.[2]

In 2008-09, the Department's year-over-year spending increased by $51M. These additional costs supported the implementation of programs to promote access to the justice system in both official languages, to provide legal aid for those facing charges under the *Public Safety and Anti-Terrorism Act* and support the National Anti-Drug Strategy.

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[2] In total, the net vote revenues recovered in 2007-08 were $182 million; in 2008-09 were $200.5 million; and projected to be $235.1 million in 2009-10.

In 2009-10, the Department projected spending will be stable compared to the previous year. However, an additional estimated amount of $52.8 million is expected to be paid in mandatory retroactive compensation for counsel, resulting from an arbitral award covering fiscal years 2006-07 to 2009-10. This amount is excluded from all forecasted amounts in this document, including the preceding chart.

In fiscal year 2010-11, the Department plans to spend $431.1 million to promote a fair, relevant and accessible justice system that reflects Canadian values; $448.4 million (including $265M of revenues) to ensure that the federal government is supported by effective and responsive legal services; and $104.8 million for internal support services.

As a result of the increasing demand for legal services and increased costs of counsel, the Department has also seen a significant growth in the collection of revenues from other government departments and agencies for all types of legal services delivered including advisory, litigation, legislative/regulatory drafting and regulatory prosecutions. These are expected to reach $265M in 2010-11.

Voted and Statutory Items

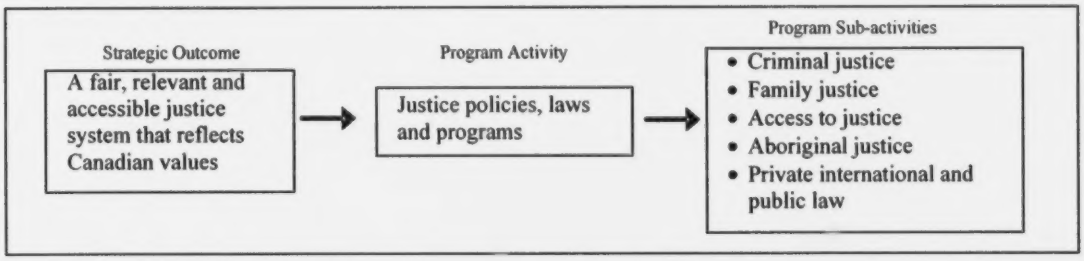
($ Millions)

Vote # or Statutory Item(s)	Truncated Vote or Statutory Wording	2009-10 Main Estimates	2010-11 Main Estimates
1	Operating expenditures	257.39	258.69
5	Grants and contributions	370.56	386.88
(S)	Contributions to employee benefit plans	61.40	66.62
(S)	Minister of Justice—Salary and motor car allowance	0.08	0.08
	TOTAL	**689.43**	**712.27**

Note: Main Estimates exclude the funds provided under Net Voting Authority (respendable revenue). .

SECTION II: ANALYSIS OF PROGRAM ACTIVITIES BY STRATEGIC OUTCOME

Strategic Outcome I: A fair, relevant and accessible justice system that reflects Canadian values


Strategic Outcome
A fair, relevant and accessible justice system that reflects Canadian values
Program Activity
Justice policies, laws and programs
Program Sub-activities
• Criminal justice
• Family justice
• Access to justice
• Aboriginal justice
• Private international and public law

A fair, relevant and accessible justice system that reflects Canadian values is a responsibility that does not lie with the Department of Justice alone, rather it involves a broad range of players, including all three branches of the federal government – Parliament, the judiciary, and federal departments and agencies; our partners in the provincial, territorial and municipal levels of government; a broad range of non-governmental organizations and stakeholders; and, ultimately, all Canadians.

The Department plays a major part in this by carrying out its fundamental role in establishing, maintaining and refining the national legal framework. It also exercises a leadership role in consulting and collaborating with our federal, provincial, territorial, municipal and non-governmental partners to identify and address issues affecting the fairness, accessibility and relevance of the Canadian justice system.

This Strategic Outcome is supported by two program activities: Justice policies, laws and programs and the Office of the Federal Ombudsman for Victims of Crime.

Program Activity A1: Justice policies, laws and programs

Human Resources (FTEs) and Planned Spending ($ millions)					
2010-11		2011-12		2012-13	
FTEs	Planned Spending	FTEs	Planned Spending	FTEs	Planned Spending
361	429.80	364	423.01	365	396.12

Program Activity Expected Results	Performance Indicators	Performance Measurement Strategy
Sustainable national justice system	• Trends in per capita spending by all level s of government in Canada on the justice system • Trends in lag time from charges to court resolution • Trends in the crime index	• Analysis of data from Statistics Canada - Canadian Center for Justice Statistics
Key Program Sub-Activity Expected Results	**Performance Indicators**	**Performance Measurement Strategy**
Criminal law is reformed to respond to emerging issues	• Trends in justice process (average length of a case, use of police discretion and sentencing variances)* • Trends in outcome fairness (proportionate sentences, wrongful convictions etc.)* • Trends in the ratio of chargeable incidents to charges laid for criminal offences*	• Analysis of data from Statistics Canada - Canadian Center for Justice Statistics
Canadians have a positive perception of the criminal justice system	• Trends in self-reported victimization • Trends in public perceptions of personal safety • Trends in public perceptions of the justice system	
Increased compliance by parents with the terms and conditions of family support, custody and access obligations	• Trends in compliance/non-compliance with family law obligations	• Key informants study • Analysis of data from Survey of Maintenance Enforcement Programs
Equitable Access to the Justice System	• Public perceptions regarding access to justice • Number of stays in proceedings due to lack of counsel • Number of instances of court-ordered counsel	• National Justice Survey (questions on public confidence) • Department of Justice File Review • Survey of Provincial and Territorial Partners
Increased involvement of Aboriginal communities in the local administration of justice	• Number of communities with Aboriginal Justice Strategy projects • Number of communities undertaking capacity building and training to support the administration of justice • Number of clients served by Aboriginal justice programs (year-over-year data)	• Analysis of data from the Department of Justice Grants and Contributions Information Management System

* These are new performance indicators, which replace previous indicators identified in the Departmental Performance Measurement Framework.

Overview

Under Canada's federal system, the administration of justice is an area of shared jurisdiction between the federal government and the provinces. Through this program activity, the Department fulfills its constitutional responsibility to ensure a bilingual and bijural national legal framework for the administration of justice by developing policies, laws and programs to strengthen the national framework. The Department's focus is in five core domains which include: criminal justice, family justice, access to justice, Aboriginal justice, and private international and public law.[1] As well, in recognition of

the federal government's shared interest in a sustainable justice system, the Department provides significant ongoing funding to provinces and territories for the delivery of programs that directly support federal policy objectives, including legal aid, youth justice services, and Aboriginal justice services.

Benefits for Canadians

Canadians rely on the justice system to prescribe the balance between collective and individual rights and responsibilities that ensure a safe, secure and resilient society. The justice system affects almost every facet of Canadians' daily lives from guiding everyday activities that ensure our safety, to supporting social policies and social benefits, regulating our economy, and offering ways to resolve disputes peacefully where there are disagreements or conflicts between individuals, organizations or governments.

Planning Highlights for 2010-11

In support of the expected results, the following highlights some of the key activities in which the Department will be actively engaged during 2010-11.

- Update the *Criminal Code* in order to deal with the challenges of new telecommunications technologies
- Continue to lead the interdepartmental National Anti-Drug Strategy and implement Department of Justice components of the Strategy
- Implement renewal of the Drug Treatment Court Funding Program
- Work with provinces and territories to modernize and streamline the criminal justice process by maximizing the use of technology, simplifying procedures, and rationalizing police presence in court
- Continue to manage the Integrated Market Enforcement Team Reserve Fund
- Finalize and implement the renewal strategy for the Youth Justice Services Funding Program, while managing current agreements under both this program and the Intensive Rehabilitation Custody Supervision Program
- Continue implementation of the Federal Strategy for Victims of Crime and the Victims Fund
- Develop security and anti-terrorism legislative reform proposals
- Work with international partners to ensure international legal frameworks adequately combat crime, including organized crime and terrorism and with Canadian and United States partners to enhance cross-border law enforcement cooperation
- Develop proposals for extradition reform to make Canada's extradition regime more efficient while safeguarding the constitutional rights of those sought for extradition
- Implement international technical legal assistance projects which promote the Canadian values of freedom, democracy, human rights and the rule of law in Ukraine, Jamaica and Palestine
- Develop law reform proposals, research plans and measures in support of the government's family justice priorities
- Implement the Supporting Families Initiative to promote compliance with child custody, access and family support orders through family justice services funding agreements with provinces and territories and Public Legal Education and Information project agreements with non-governmental organizations
- Implement and manage contribution agreements respecting legal aid with the provinces and Access to Justice Services agreement with the territories
- Implement the *Immigration and Refugee Protection Act* Review recommendations pertaining to the Special Advocates Regime
- Implement the training component of the Access to Justice in Both Official Languages Support Fund
- In collaboration with federal, provincial, territorial and community justice partners, continue implementation and ongoing management of the Aboriginal Justice Strategy and the development of both a renewal strategy and evaluation of the program
- Negotiate Canada's position in international forums with respect to: security interests in intellectual property; uniform rules for securities transfer and holding systems; and the settlement of investment disputes between countries and foreign investors

Program Activity A2: Office of the Federal Ombudsman for Victims of Crime

Human Resources (FTEs) and Planned Spending ($ millions)*					
2010-11		2011-12		2012-13	
FTEs	Planned Spending	FTEs	Planned Spending	FTEs	Planned Spending
9	1.31	0	0.00	0	0.00

*Note: The funding profile for the Office of the Federal Ombudsman reflects that the initiative is scheduled to sunset at the end of fiscal year 2010-11.

Overview

The Office of the Federal Ombudsman for Victims of Crime was established in 2007-08. The Ombudsman operates at arm's length from the federal departments responsible for victim issues, namely the Department of Justice and the Department of Public Safety. The Ombudsman reports directly to the Minister of Justice[3] and is therefore outside the Department's governance framework. The Office is physically housed within the Department of Justice which also provides it with corporate services support.

The mandate of the Federal Ombudsman for Victims of Crime relates exclusively to matters of federal responsibility and includes:

- facilitating victims' access to existing federal programs and services by providing them with information and referrals;
- addressing victims' complaints about compliance with the provisions of the *Corrections and Conditional Release Act* that apply to victims of offenders under federal supervision and providing an independent resource for those victims;
- enhancing awareness among criminal justice personnel and policy makers of the needs and concerns of victims and the applicable laws that help victims of crime, including promotion of the principles set out in the *Canadian Statement of Basic Principles of Justice for Victims of Crime*; and
- identifying emerging issues and exploring systemic issues that impact negatively on victims of crime.

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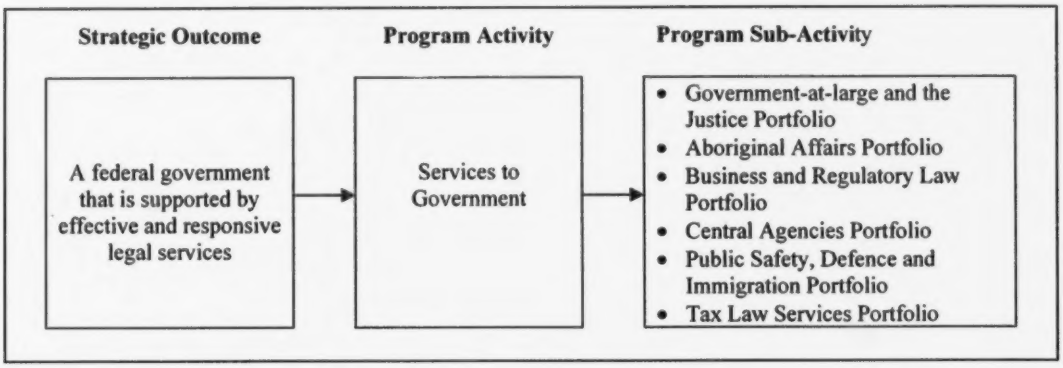
[3] The Federal Ombudsman for Victims of Crime tables annual reports to Parliament separately through the Minister of Justice. For further information regarding the Office of the Federal Ombudsman for Victims of Crime, please consult: http://www.victimsfirst.gc.ca/index.html

Strategic Outcome II: A federal government that is supported by effective and responsive legal services


Strategic Outcome
Program Activity
Program Sub-Activity
A federal government that is supported by effective and responsive legal services
Services to Government
• Government-at-large and the Justice Portfolio
• Aboriginal Affairs Portfolio
• Business and Regulatory Law Portfolio
• Central Agencies Portfolio
• Public Safety, Defence and Immigration Portfolio
• Tax Law Services Portfolio

Under the *Department of Justice Act*, the Minister of Justice and Attorney General provides legal services to the federal government and its departments and agencies. Under section 4 of the *Act*, the Minister is the legal member of the Queen's Privy Council responsible for seeing that the administration of public affairs is in accordance with the law. Additionally, under section 4.1, the Minister is responsible for drafting and reviewing all government regulations prior to registration to ensure conformity with the *Statutory Instruments Act* and all government bills prior to tabling in Parliament to ensure that the bills are not inconsistent with the *Charter of Rights and Freedoms*. Under section 5 of the *Act*, the Attorney General is responsible for advising the heads of government departments on all matters of law and for conducting all litigation for any federal department or agency of the Crown in respect of any subject within the authority or jurisdiction of Canada.

The Department seeks to attain this strategic outcome through one program activity - Services to Government.

Program Activity B1: Services to Government

Human Resources (FTEs) and Planned Spending ($ millions)					
2010-11		2011-12		2012-13	
FTEs	Planned Spending	FTEs	Planned Spending	FTEs	Planned Spending
3,293	183.37	3,334	175.80	3,355	175.82

Note: Planned spending excludes respendable revenue.

Program Activity Expected Results	Performance Indicators
Comprehensive delivery on the government's legislative agenda	• Levels of effort dedicated to legislative files • Number of bills tabled in Parliament • Number of regulations published in the *Canada Gazette* • Number of motions to amend private members bills for which the Department was responsible
Legal Advisory services to support the Government in attaining its priorities	• Levels of effort devoted to providing legal advisory services to government client organizations
Representing the Crown's interest to enable the Government to attain its priorities	• Levels of effort dedicated to litigation files • Trends in levels of assessed risk of the litigation inventory • Trends in the settlement of disputes through alternatives to litigation • Trends in Crown results for litigation files – final litigation outcome indicators

Performance Measurement Strategy: Analysis of Departmental timekeeping and case management systems

Overview

The Department provides an integrated suite of legal advisory, legislative and regulatory drafting and litigation services to assist departments and agencies in meeting their policy and programming priorities and to advance the overall objectives of the government. In delivering these services, the Department provides coherent and coordinated legal advice in the conduct of core and ongoing operations as well as legal awareness training across government, actively defends the Crown's interests before the courts and administrative tribunals, and drafts bills and regulations that give effect to government priorities.

Client departments and agencies have a shared accountability for the government's use of legal services. Consequently, the alignment of legal services to government priorities is achieved through annual joint Department of Justice and client department planning and prioritizing sessions for the provision of legal services and a shared understanding of the impacts on legal risks. In addition, senior departmental officials regularly interact with their colleagues in client departments and in central agencies, and make adjustments from time to time to maintain the focus on government priorities.

The delivery of an integrated suite of legal advisory, litigation and legislative services through six portfolios[ii] is supported through:

- specialized legal capacities;
- a network of 42 departmental legal services units and 4 departmental regulation drafting sections, which are co-located with client departments and agencies; and,
- a network of regional offices and sub-offices providing legal services to federal departments and agencies in the North, British Columbia, the Prairies, Ontario, Quebec, and the Atlantic provinces.

There are a number of trends that are having impacts on our planning assumptions for fiscal year 2010-11 in delivering effective and responsive legal services to government. By way of examples, over the past two years, the levels of effort devoted to providing legal advisory and drafting services across government have increased by more than 4% per year and this trend is expected to continue. Additionally over the past three years, there has been an overall increase of 15% in the levels of effort devoted to managing the Government's litigation inventory. In part, this increase is due to a significant increase in the number of high risk litigation files in the Government's litigation inventory during the past three years. This trend is expected to continue.

Benefits for Canadians

The Department supports the Attorney General as the chief law officer of the Crown in the ongoing operations of government and in the provision of legal advice for the Government and all federal government departments and agencies. The Department represents the Crown in civil litigation, some criminal litigation and before administrative tribunals. The Department also drafts legislation and regulations, and responds to the other legal needs of federal departments and agencies.

In so doing, the Department directly and indirectly supports the federal government by preparing new and ongoing programs and services to Canadians; by ensuring that decision makers are able to factor the legal implications into their chosen courses of action; and by defending the government's ability to continue to provide programs and services in the face of court challenges.

Planning Highlights for 2010-11

In support of the expected results, the following highlights some of the key files and activities in which the Department will be engaged in providing legal support and policy advice to the government during 2010-11[4]:

Economic Affairs

- Supporting Government departments and agencies in the continuing implementation of Canada's Economic Action Plan, including infrastructure renewal, investment in housing and retrofits
- Supporting negotiation, drafting and implementation of federal-provincial labour market agreements
- Supporting development of a Canadian securities regulatory regime. As part of this process, the government will seek the opinion of the Supreme Court of Canada as to whether Parliament has the constitutional authority to enact and implement a federal securities regulatory regime
- Providing litigation support to the federal government in responding to the judicial inquiry into the decline of Sockeye Salmon in the Fraser River called by the Prime Minister pursuant to Part I of the *Inquiries Act*
- Supporting enhancements to the soundness of the regulatory framework for financial institutions and pension reform
- Supporting programs and initiatives related to sustainable development

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[4] The planning highlights are organized along four categories corresponding to the key outcomes areas and areas of federal government spending identified in Canada's Performance Report (http://www.tbs-sct.gc.ca/reports-rapports/cp-rc/2008-2009/cp-rctb-eng.asp)

Social Affairs

- Supporting initiatives to combat cybercrime and enhance Canada's cyber network
- Supporting ongoing correctional services and parole system reforms
- Defending court challenges to the constitutionality of *Criminal Code* provisions, and defending the discretion of the Minister of Justice to surrender fugitives sought for crimes committed in foreign countries
- Follow-up on recommendations of the Air India Commission of Inquiry concerning transportation security and the protection of national security information before the courts
- Supporting the implementation of security and intelligence review mechanisms from the O'Connor Report and the Brown Task Force on Governance and Cultural Change at the RCMP
- Supporting the implementation of the Indian Residential Schools Settlement Agreement
- Supporting actions to accelerate the resolution of Specific Claims
- Supporting the retooling of the British Columbia Treaty Process and to the Action Plan on consultation and accommodation

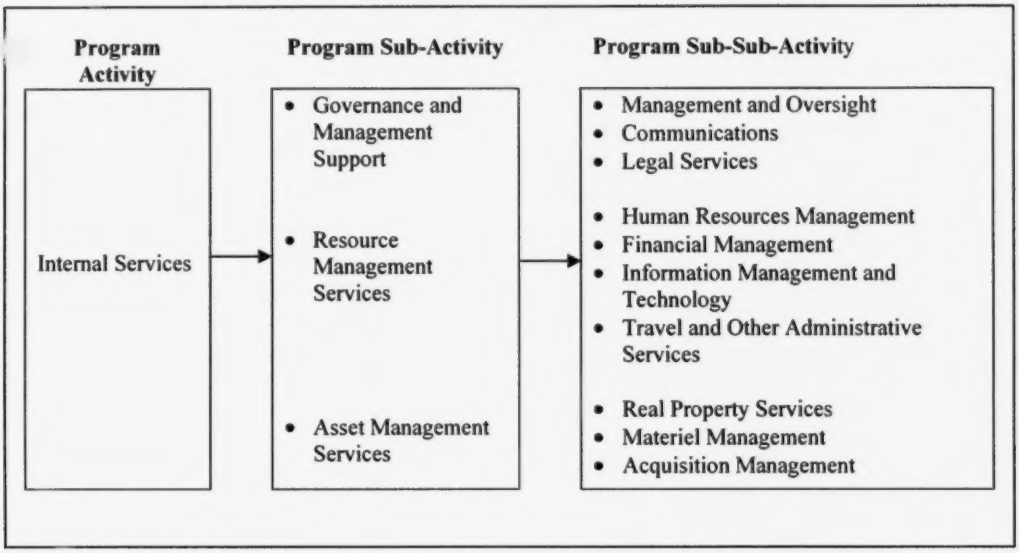
International Affairs

- Supporting Canada's efforts in the G8 to create a safer world and to participate in the G20 efforts to address the fallout from the global financial crisis
- Defending Canada's interests in trade litigation and supporting Canada's negotiating position on economic harmonization in international organizations
- Supporting the development of information sharing principles and frameworks to protect Canadians and facilitate travel and trade
- Continuing to defend in the courts Canada's ability to acquire, maintain and share information that is vital to national security
- Supporting activities to reinforce international agreements and border controls to prevent nuclear proliferation

Government Affairs

- Supporting implementation of tax and benefits policies and programs, addressing issues of tax compliance and in moving forward with provinces on tax harmonization
- Defence of court challenges to the $30.2 billion surplus in pension plans established for federal government employees, as well as challenges to the scope of group life insurance plans ($2.5 billion at issue)
- Supporting the preparation of the Federal Budget
- Supporting continuation of the implementation of the Cabinet Directive on Law-Making and the Cabinet Directive on Streamlining Regulation including roadmapping to modernize the Regulatory System for Project Review
- Supporting democratic reform proposals including changes to the Senate and to the House of Commons

Program Activity C1: Internal Services



This program activity supports the Department's two strategic outcomes. Internal Services are groups of related activities and resources that support the needs of programs and other corporate obligations of the Department. Treasury Board Secretariat has developed standardized categories for all federal organizations to use for reporting on internal services. Internal Services include only those activities and resources that apply across an organization, representing indirect overhead, and not those services provided directly to a specific program area.

Human Resources (FTEs) and Planned Spending ($ millions)					
2010-11		2011-12		2012-13	
FTEs	Planned Spending	FTEs	Planned Spending	FTEs	Planned Spending
1,215	104.76	1,237	104.44	1,248	104.10

Planning Highlights for 2010-11

The following provides highlights of some of the key internal services' activities upon which the Department will be engaged during 2010-11.

Law Practice Management

- Continue developing and implementing national policies, processes, strategies and tools to support legal risk management, knowledge management, dispute prevention and resolution, legal information and systems, quality assurance and gender-based analysis

Renewal of Departmental Systems and Infrastructure

- Enable legal practitioners' abilities to collaborate and harness new opportunities by implementing a modern and robust technology infrastructure (including a high-speed network, desktop collaborative tools and high-availability systems)

Financial Management

- Address the recommendations from the Office of the Auditor General's management letter, stemming from the unqualified audit opinion on the Department's 2008-09 financial statements
- Ensuring compliance to Treasury Board Policies the department will standardize practices in regard to financial management activities based on an analysis of risks and needs, including standards on the management of budgetary resources and revenues, sustainable financial systems solutions integrated with the department's core business, etc.

Public Service Renewal

- Enhance organizational integrated planning capacity and practices to identify and meet departmental goals
- Enhance recruitment strategies, including post-secondary, collective staffing, and the enhancement of the Legal Excellence Program for articling students
- Promote employee development through enhanced legal skills training, leadership and management development, access to language training, talent management and succession planning
- Continue to build on the departmental commitment to employment equity and diversity through the development and implementation of a multi-year employment equity plan including both quantitative and qualitative diversity goals
- Enhance departmental infrastructure to support and enable managers to meet expanded human resources management responsibilities and in support of the LA Arbitral Award

[1]Section II Endnotes – Justice Policies, Laws and Programs:

Criminal Justice - through which the Department monitors trends in criminal law including youth justice, develops and implements options for criminal law reform, and provides a centre of expertise for criminal law and procedure, criminal justice policy, evidence law, sentencing, and victim's issues. Additionally, the Department provides various levels of funding to the provinces and territories to encourage support for federal and national youth justice priorities through the administration of justice. The Department also coordinates the federal Victims of Crime Strategy and works with the provinces and territories to develop policies and projects aimed at providing direct services to underserved victims of crime and achieving a better balance between the rights of victims and offenders. As well, the Department advances Canadian interests in the development of global anti-crime and counter-terrorism measures, and assists other countries with domestic crime problems that can affect the safety of Canadians at home.

Family Justice – through which the Department develops and implements policies, program initiatives and family law reforms in consultation with the provinces and territories. Specifically, the Department provides analysis, advice and litigation support in areas of marriage, divorce (including custody, access and child and spousal support), as well as enforcement of family obligations. Additionally, the Department administers the Family Law Assistance Services, maintains the Central Registry of Divorce Proceedings, and supports enforcement services of the provincial and territorial Maintenance Enforcement Programs. The Department also administers the Justice component of the federal Family Violence Initiative as well as the Federal Elder Abuse Initiative, which seeks to reduce the incidence of violence in the home and against older Canadians.

Access to Justice – through which the Department works with provinces and territories and with non-governmental and community-based organizations to develop and implement policies and laws that enhance access to justice, including access to justice in both official languages, while respecting the diverse nature and needs of Canadians. Additionally, the Department provides significant, ongoing funding to the provinces for criminal legal aid and in the territories, federal funding for criminal and civil legal aid is provided through access to justice services agreements that also integrate support for the Aboriginal Courtwork Program (ACW) and public legal education and information services.

Aboriginal Justice – through which the Department develops and implements policies, laws and programs aimed at addressing the needs of Aboriginal people in the justice system. Additionally, through the Aboriginal Justice Strategy (AJS) and the ACW the Department seeks to enable Aboriginal communities to have increased involvement in the local administration of justice and by providing timely and effective alternatives to mainstream justice processes in appropriate circumstances.

Private International and Public Law - through which the Department fulfills the Minister's responsibilities related to a number of public law statutes, including but not limited to, the *Access to Information Act*, the *Privacy Act*, the *Judges Act*, the *Canadian Human Rights Act*, and statutes constituting the federal courts, the Tax Court and the Supreme Court, and through which the Department supports the Minister in his portfolio responsibilities for such entities as the Information and Privacy Commissioners, Canadian Human Rights Commission and Tribunal, the Canadian Judicial Council, Courts Administration Service, Commissioner for Federal Judicial Affairs and the Section 101 Courts. The Department also supports Canada's active participation in the work of international multilateral organizations: The Hague Conference on Private International Law, the United Nations Commission on International Trade Law (UNCITRAL), the International Institute for the Unification of Private Law (UNIDROIT) and the Organization of American States (OAS). In addition, it works toward the implementation of international private law instruments in Canada, with the cooperation of the Uniform Law Conference of Canada (ULCC).

[ii] Section II Endnotes – Services to Government:

The **Aboriginal Affairs Portfolio** provides expert legal services and legal policy advice to the Crown and to client departments, notably Indian and Northern Affairs Canada (INAC), on a broad range of Aboriginal law issues that affect government as a whole, including: Aboriginal rights and title; duty to consult; treaty rights; the fiduciary relationship of the Crown with Aboriginal peoples; constitutional and *Charter* issues relating to Aboriginal law; and, more broadly, the role of the law in support of reconciliation between the Crown and Aboriginal Canadians.

The **Business and Regulatory Law Portfolio** provides expert legal advisory, litigation and legislative drafting services to more than 20 departments and agencies whose mandates share a regulatory or business focus. The Portfolio is involved in issues such as environmental protection, transportation regulatory matters, fisheries management, health protection, intellectual property, energy projects, cultural protection, and international development, among others.

The **Central Agencies Portfolio** provides integrated legal advisory, non-criminal litigation and drafting services with respect to: fiscal, economic, and tax issues; federal-provincial fiscal arrangements; financial services; social affairs; accountability; machinery of government; comptrollership; human resources management; labour and employment law; financial sector practices; financial institutions; banking; money laundering; terrorist financing; and Crown law issues. The Portfolio provides these services to the Department of Finance, the Treasury Board of Canada Secretariat, the Canada School of Public Service, the Public Service Commission, the Office of the Superintendent of Financial Institutions, the Financial Transactions and Reports Analysis Centre of Canada, and the Financial Consumer Agency of Canada.

The **Public Safety, Defence and Immigration Portfolio** provides strategic legal services to the following departments and agencies responsible for the defence and security of Canada and the safety of Canadians as well as for immigration and border management: the Department of National Defence, the Canadian Security Establishment, Public Safety Canada, the Canadian Security Intelligence Service (CSIS), the Royal Canadian Mounted Police (RCMP), the Correctional Service of Canada, the National Parole Board, Citizenship and Immigration Canada and the Canada Border Services Agency. The Portfolio also manages the Crimes Against Humanity and War Crimes Program.

The **Tax Law Services Portfolio** provides legal advice, litigation services, training, drafting services, as well as legal issues coordination and risk management to the Canada Revenue Agency (CRA). The Portfolio represents the Crown in all tax matters, including tax assessment and Employment Insurance and Canada Pension Plan appeals to the courts, collection matters, civil law suits and class actions.

The **Justice Portfolio** consists of three specialized groups within the Department - the Public Law Sector, the Litigation Branch, and the Legislative Services Branch. The Portfolio is a core resource for federal government departments and the government as a whole on highly specialized areas of the law, on litigation as well as on the drafting, review and publication of legislation and regulations. The Portfolio also carries out the functions assigned to the Minister of Justice as the central authority for Canada under the *Extradition Act* and the *Mutual Legal Assistance in Criminal Matters Act,* providing assistance to Canadian and foreign authorities to gather evidence for criminal cases or to obtain the extradition of fugitives from justice. Mutual assistance and extradition are important tools in the suppression of crime for the protection of Canadians and global community. As well, the Department's involvement in the Public Security and Anti-Terrorism initiative is funded from the Justice Portfolio, and includes legislative support and policy development, legal advice and assistance, as well as prosecutions and civil litigation.

SECTION III: SUPPLEMENTARY INFORMATION

Supplementary Information Tables

All electronic supplementary information tables found in the 2010-11 Report on Plans and Priorities can be found on the Treasury Board of Canada Secretariat's website at http://www.tbs-sct.gc.ca/rpp/2010-2011/info/info-eng.asp.

- Details on Transfer Payment Programs (TPP)
- Green Procurement
- Horizontal Initiatives
- Internal Audits and Evaluations
- Sources of Respendable and Non-Respendable Revenue

Please refer to the Programs and Initiatives Section of the Department of Justice website for details of the Department's Three Year Transfer Payment Program Plan.

Other Items of Interest

Key Publications

The following information is available on the Department of Justice Web site:

Canada's System of Justice: http://canada.justice.gc.ca/eng/dept-min/pub/just/
Canada's Consolidated Statutes and Regulations: http://laws.justice.gc.ca/en/index.html
Department of Justice Organizational Chart: http://canada.justice.gc.ca/eng/dept-min/chart.html
Department of Justice Programs and Initiatives: http://canada.justice.gc.ca/eng/pi/index.html
Key Publications: http://canada.justice.gc.ca/eng/dept-min/pub/index.asp
Careers at Justice: http://canada.justice.gc.ca/eng/dept-min/recru/index.html

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